

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LOUIS J. FOLLINUS, )  
Plaintiff, ) Case No. C04-2482-RSL  
v. )  
RICHARD WISENOR, ) ORDER OF DISMISSAL  
Defendant. )

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's complaint is DENIED, and this action is DISMISSED without prejudice.
- (3) The Clerk is directed to terminate this action pursuant to 28 U.S.C. § 1915(e)(2)(B), to count this as a dismissal under 28 U.S.C. § 1915(g), and to send copies of this Order to plaintiff and to the Honorable James P. Donohue.

DATED this 27th day of September, 2005.

Mr S Casnik

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Robert S. Lasnik  
United States District Judge

## ORDER OF DISMISSAL